

Appln. No. 09/807,869
Amendment dated November 1, 2006
Reply to Office Action of July 14, 2006

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The July 14, 2006 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

INTERVIEW

The courtesy of Examiner Van Handel and Examiner Kelly in granting and conducting interviews in connection with this application is acknowledged and appreciated. During the interviews, the present invention and the prior art was discussed. Proposed differences between the invention and the prior art were discussed. No agreement was reached with the Examiners.

PRIOR ART REJECTIONS

In the Office Action, claims 1, 2, 5, 6, 9 and 10 are rejected under 35 USC 103 as being unpatentable over USP 5,721,827 (Logan et al.) in view of USP 5,616,876 (Cluts).

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In response, claim 1 is amended to recite that the periodic replacement of part of the collection of selected files includes identifying the genre of the files to be replaced and replacing the files with files having the same genre. Support for this amendment can be found in the present application as originally filed at page 5, lines 3-11, inter alia.

None of the references of record disclose periodically replacing files with files having the same genre, as now recited in claim 1.

In view of the foregoing, claim 1 is patentable over the cited references under 35 USC 102 as well as 35 USC 103.

Claim 5 is amended to include limitations similar to those set forth in claim 1. Claim 5 is patentable for reasons, inter alia, set forth above in connection with claim 1.

Claims 2, 6, 9 and 10 are either directly or indirectly dependent on claims 1 and 5 and are patentable over the cited references in view of their dependence on claims 1 or 5, and because the references do not disclose, teach or suggest each of the limitations set forth in the dependent claims.

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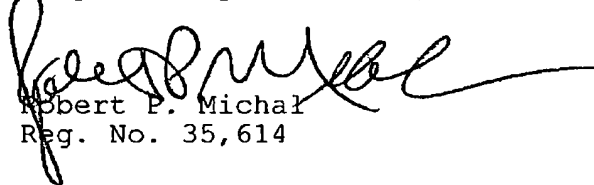
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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl: Petition For Extension of Time